

# United States District Court

## Eastern District of Wisconsin

UNITED STATES OF AMERICA

V.

MARCUS HUTCHINS

### JUDGMENT IN A CRIMINAL CASE

**Case Number: 17-CR-124-2-JPS**

**Marshal Number: 54243-048**

Brian Klein, Marcia  
Hofmann, and Emily  
Stierwalt  
Defendant's Attorneys

Benjamin Proctor and  
Benjamin Taibleson  
Assistant United States Attorneys

#### THE DEFENDANT:

Pled guilty to Counts One and Two of the Superseding Indictment.

Title & Section	Nature of Offense	Date Concluded	Count(s)
18 U.S.C. § 371	Conspiracy	September, 2015	One
18 U.S.C. §§ 2, 2512(1)(c)(i)	Advertisement of wire, oral, or electronic communication- intercepting devices	August, 2014	Two

The defendant is sentenced as provided in sheets 2 through 6 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

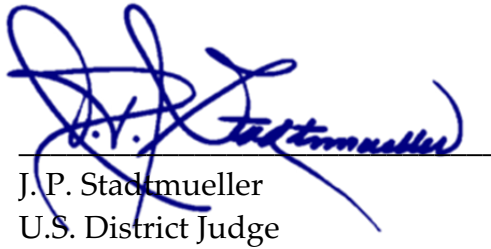
IT IS ORDERED that Counts 3–10 of the Superseding Indictment be and the same are hereby DISMISSED.

IT IS ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.

Defendant: Marcus Hutchins

Case Number: 17-CR-124-2

Date Sentence Imposed: July 26, 2019



J. P. Stadtmueller  
U.S. District Judge

Date Judgment Signed: July 29, 2019

Defendant: Marcus Hutchins

Case Number: 17-CR-124-2

## IMPRISONMENT

The defendant is hereby committed to the custody of the Bureau of Prisons to be imprisoned for a term of Time Served as to each offense of conviction in Count One and Two of the Superseding Indictment to operate to run concurrently for a total sentence of Time Served.

## RETURN

I have executed this judgment as follows:

Defendant delivered on \_\_\_\_\_ to \_\_\_\_\_ at \_\_\_\_\_, with a certified copy of this judgment.

\_\_\_\_\_  
United States Marshal

By: \_\_\_\_\_  
Deputy U.S. Marshal

Defendant: Marcus Hutchins

Case Number: 17-CR-124-2

## SUPERVISED RELEASE

The defendant shall be on supervised release for a total term of One (1) year as to Counts One and Two of the Superseding Indictment. The defendant shall comply with the following special conditions:

1. On Monday, July 29, 2019, the defendant shall report in person to his supervising probation officer in the Central District of California.
2. The defendant shall not commit another federal, state, or local crime.
3. The defendant shall not possess any firearms or other dangerous weapons.
4. Pursuant to the Violent Crime Control and Law Enforcement Act of 1996, the defendant shall not illegally possess or unlawfully use any controlled substance. The Court finds there is a low risk of future substance abuse by the defendant and therefore suspends the drug testing requirements.
5. The defendant must reside at a residence approved by his supervising probation officer.
6. The defendant shall use his best efforts to secure lawful full-time employment and support his dependents.
7. The defendant shall notify his supervising probation officer at least ten days prior to any change in the place of his residence or employment. When such notification is not possible, the defendant shall notify his supervising probation officer within 72 hours of the change.
8. The defendant shall notify his supervising probation officer within 72 hours of being arrested or questioned by a law enforcement officer.
9. The defendant shall follow the reasonable instructions of his supervising probation officer and answer all inquiries of such officer subject to the defendant's Fifth Amendment right against self-incrimination.
10. The defendant shall permit his supervising probation officer to visit him at reasonable times at home, or such other location as may be mutually agreed upon and shall permit confiscation of any contraband observed in plain view by his supervising probation officer.
11. The defendant shall not associate with any persons known by him to be engaged or planning to be engaged in criminal activity. "Associate" as used here means to communicate, meet, reside, socialize, or otherwise interact with such person.
12. The defendant shall not knowingly leave the judicial district to which he has been released without the permission of the Court or his supervising probation officer.
13. The defendant shall not enter into any agreement to act as an informer or special agent of a law enforcement agency within the United States without the prior approval of the Court.
14. The defendant shall cooperate with Immigration and Customs Enforcement under the direction of his supervising probation officer.

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Defendant: Marcus Hutchins

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In accordance with the recent decisions by the United States Court of Appeals for the Seventh Circuit in *United States v. Siegel*, 753 F.3d 705 (7th Cir. 2014), *United States v. Thompson*, 777 F.3d 368 (7th Cir. 2015), *United States v. Kappes*, 782 F.3d 828 (7th Cir. 2015), *United States v. Downs*, 784 F.3d 1180 (7th Cir. 2015), *United States v. Poulin*, 809 F.3d 924 (7th Cir. 2016), *United States v. Ortiz*, 817 F.3d 1180 (7th Cir. 2016), *United States v. Hill*, 818 F.3d 342 (7th Cir. 2016), and their progeny, the Court withheld imposition of any additional conditions of supervised release. The Court concluded that such additional conditions, if any, are best left for further consideration at such time as they may become appropriate and necessary.

Defendant: Marcus Hutchins

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**CRIMINAL MONETARY PENALTIES**

The defendant shall pay the following total criminal monetary penalties in accordance with the schedule of payments set forth on Sheet 6.

	<b><u>Special Assessment</u></b>	<b><u>Fine</u></b>	<b><u>Restitution</u></b>
<b><u>Totals:</u></b>	\$200.00	None	None

**FINE**

Based upon the defendant's limited financial resources, the Court determines that the defendant does not have the financial ability to pay a fine within the guidelines range. The Court determines that the defendant does not have the financial ability to pay the interest on the fine, costs of incarceration, costs of community confinement, and supervision, and therefore waives the interest on the fine, costs of incarceration, costs of community confinement, and supervision in this case.

A waiver of the cost of community confinement does not preclude the Bureau of Prisons from imposing a subsistence fee of up to twenty-five percent (25%) of gross income, based on ability to pay, for any portion of the sentence spent in a community correctional facility.

**RESTITUTION**

The defendant shall pay restitution in the amount listed below. Restitution payments shall be made to the Clerk of the Court—362 U.S. Courthouse, 517 E. Wisconsin Avenue, Milwaukee, Wisconsin 53202—who shall disburse restitution payments to the following payee(s):

<b>PAYEE</b>	<b>AMOUNT</b>
None	None

Defendant: Marcus Hutchins

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## **SCHEDULE OF PAYMENTS**

Payments shall be applied in the following order: (1) assessment, and (2) restitution.

Special instructions regarding the payment of criminal monetary penalties:

Unless the Court has expressly ordered otherwise in the special instructions above, if this judgment imposes a period of imprisonment, payment of the criminal monetary penalties shall be due during the period of imprisonment. All criminal monetary penalty payments, except those payments made through the Bureau of Prisons Inmate Financial Responsibility Program are to be made as directed by the Court, the defendant's supervising probation officer, or the United States Attorney.